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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ALAM, MUSHFIKH I

ART UNIT

PAPER NUMBER

2623

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/719,029	Applicant(s) NAMVAR, KIANOUSH	
	Examiner Mushfikh Alam	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/12/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7, 11, 14-15, 17, 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riechardt et al. (2004/0107437) in view of Knudson et al. (2005/0204387).

Claim 1, Riechardt teaches an interactive media transmission method comprising the steps of:

- broadcasting a composite signal comprising a TV-signal component (program identifiers, times etc.) and an associated data signal component (help text, pay-per-view, etc.) which includes information pertaining to entities represented by the TV-signal component (fig. 1; paragraph [0040]),
- receiving the composite signal in at least one subscriber receiver (17) (fig. 1);
- decoding the TV-signal component and the associated data signal component in the at least one subscriber receiver (17) (paragraph [0064]);
- receiving, in a first subscriber receiver (17) of the at least one subscriber receiver, a user generated ordering instruction (ordering a CD) relating to at least one entity (program segment) represented by the TV-signal component (figs. 10a-10b; paragraph [0096]);

Riechardt is silent on an interactive media transmission method comprising the steps of:

- generating, based on the ordering instruction, an order message in the first subscriber receiver;
- transmitting the order message to a central control unit;
- receiving the order message in the central control unit, and generating in response thereto an order confirmation message;
- transmitting the order confirmation message to a first communication unit associated with the first subscriber receiver;
- receiving the order confirmation message in the first communication unit, and presenting therein corresponding order confirmation information to a user;
- producing, based on the order confirmation information and a user re-confirmation input, a re-confirmation message in the first communication unit; and
- transmitting the re-confirmation message to the central control unit.

Knudson teaches an interactive media transmission method comprising the steps of:

- generating, based on the ordering instruction (ordering pay-per-view), an order message in the first subscriber receiver (17) (paragraphs [0080] and [0200]);
- transmitting the order message to a central control unit (12) (paragraph [0200]);
- receiving the order message in the central control unit (12), and generating in response thereto an order confirmation message (this program has started) (fig. 84; paragraph [0201]);
- transmitting the order confirmation message (this program has started) to a first communication unit associated with the first subscriber receiver (17) (fig. 84; paragraph [0201]);
- receiving the order confirmation message in the first communication unit, and presenting therein corresponding order confirmation information to a user (fig. 84);

- producing, based on the order confirmation information and a user re-confirmation input, a re-confirmation message (yes or no) in the first communication unit (fig. 84; paragraph [0201]); and
- transmitting the re-confirmation message (yes or no) to the central control unit (12) (fig. 84; paragraph [0201]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a confirmation screens of ordered entities as taught by Knudson to the shopping application of Riechardt to prevent users from ordering the same entity twice or more (see paragraph [0201]).

Claim 2, Knudson teaches an interactive media transmission method according to claim 1, wherein the method includes the steps of:

- receiving the re-confirmation message (this program has started) in the central control unit (12) (fig. 1; paragraph [0054]); and
- transmitting an external order message (message to retrieve the ordered pay-per-view program) to a server associated with a provider of an entity defined in the order message (figs. 1 and 84; paragraphs [0054] and [0201]).

Claim 3, Riechardt teaches an interactive media transmission method according to claim 2, wherein the method includes the steps of:

- arranging (confirming a purchase) for the delivery of the entity (see paragraph [0097]); and
- effecting (purchasing) a transaction corresponding to a price (8.95) of the entity ordered by the user (fig. 10d; paragraphs [0096]-[0097]).

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Claim 4, Reichardt teaches an interactive media transmission method according to claim 1, wherein the entity (N Sync CD) represents a product occurring in a TV program event (TV Music News) represented by the TV-signal component (paragraph [0097]).

Claim 5, Reichardt teaches an interactive media transmission method according to claim 1, wherein the entity (method of purchasing a CD) represents a service occurring in a TV program event (TV music news) represented by the TV-signal component (paragraph [0097]).

Claim 6, Knudson teaches an interactive media transmission method according to claim 1, wherein the generating of the ordering instructions involves receiving a primary authorization code (purchase code) associated with the first user (fig. 80; paragraph [0199]).

Claim 7, Knudson teaches an interactive media transmission method according to claim 6, wherein the step of verifying the primary authorization code (purchase code) in the first subscriber receiver, and transmitting the order message to the central control unit (16) only if the primary authorization code is correct (paragraph [0199]).

Claim 11, Knudson teaches an interactive media transmission method according to claim 7, wherein before transmitting the re-confirmation message (this program has

already started), the method involves transmitting a page signal (overlay) from the central control unit (12) to the first subscriber receiver, the page signal including the order confirmation information (fig. 84).

Claim 14, Reichardt teaches an interactive media transmission method according to any one of the preceding claims, wherein the first communication unit (23) is included in the first subscriber receiver (fig. 2a).

Claim 15 is analyzed as an apparatus of claim 1.

Claim 17 is analyzed as an apparatus of claim 3.

Claim 20 is analyzed as an apparatus of claim 14.

Claims 19 and 21-22, Reichardt teaches a system according to claim 15, wherein first communication unit being adapted to exchange signals over a wireless interface (internet link) or telephone terminal (telephone link) (paragraph [0038]).

3. Claims 9-10, 12-13, 16, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reichardt et al. (2004/0107437) in view of Knudson et al. (2005/0204387) as applied to claim 1, and further in view of Kimble (2002/0016969).

Claim 9, Reichardt in view of Knudson are silent on an interactive media transmission method according to claim 6, wherein the user re-confirmation input

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involves receiving a secondary authorization code associated with the first user, the secondary authorization code being different from the primary authorization code.

Kimble teaches an interactive media transmission method wherein the user re-confirmation input involves receiving a secondary authorization code (authentication for transactions) associated with the first user, the secondary authorization code being different from the primary authorization code (each transaction carried out by the user will associate a different authentication) (paragraph [0041]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided conditional access for use in bi-directional communication as taught by Kimble to the interactive media guide system of Reichardt as modified by Knudson to allow users to send various secure requests to the headend (paragraph [0041]).

Claim 10, Kimble teaches an interactive media transmission method wherein the method includes the steps of

- verifying the secondary authorization code (user authentication of all transactions) in the central control unit (paragraph [0041]); and
- completing a purchase of the entity only if the secondary authorization code is correct (authentication of transactions) (paragraph [0041]).

Claim 12, Knudson teaches an interactive media transmission method wherein the method includes the steps of:

- receiving the page signal (overlay) in the first subscriber receiver;

- transmitting the re-confirmation message (this program has already started) by setting up a telephone connection (telephone network link) to the central control unit, and forwarding the user specific data to the central control unit via the telephone connection (fig. 84; paragraph [0054] and [0201])).

Kimble teaches an interactive media transmission method wherein the method includes the steps of:

- receiving the secondary authorization code (user authentication) in the first communication unit (paragraph [0041]); and

Claim 13, Knudson teaches an interactive media transmission method wherein the method includes the steps of:

- receiving the page signal (overlay) in the first subscriber receiver (fig. 84);
- establishing an Internet connection (internet link) between the first communication unit and the central control unit (paragraph [0054]);
- transmitting the re-confirmation message (this program has already started) to the central control unit via the Internet (internet link) connection (fig. 84; paragraph [0054] and [0201]).

Kimble teaches An interactive media transmission method wherein the method includes the steps of:

- receiving secondary authorization code (user authentication) in the first communication unit (paragraph [0041]).

Claim 16 is analyzed as an apparatus of claim 9.

Claim 18 is analyzed as an apparatus of claim 10.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Riechardt et al. (2004/0107437) in view of Knudson et al. (2005/0204387) as applied to claim 1, and further in view of Mayfield et al. (2003/0149986).

Claim 8, Riechardt in view of Knudson are silent on an interactive media transmission method, wherein the order message at least includes a customer number associated with the first user, and an identification of the entity.

Mayfield teaches an interactive media transmission method, wherein the order message at least includes a customer number (subscriber identification) associated with the first user, and an identification of the entity (pay-per-view services, home shipping services, etc) (paragraph [0009]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the identify of a subscriber when authentication is involved as taught by Mayfield to the interactive media guide system of Reichardt as modified by Knudson to prevent un authorized access by unauthorized subscribers (paragraph [0009]).

5. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Riechardt et al. (2004/0107437) in view of Knudson et al. (2005/0204387) as applied to claim 15, and further in view of Escobar et al. (2002/0053084).

Claim 23, Reichardt in view of Knudson are silent on a system according to claim 15, wherein

- the first subscriber receiver is associated with a positioning equipment for determining the geographical position of the first subscriber receiver, and
- the first subscriber receiver is adapted to present a content decoded from the associated data signal component on basis of a position signal from the positioning equipment such that the presented content has a relatively high degree of relevance to a user associated being with the first subscriber receiver.

Escobar teaches a system wherein

- the first subscriber receiver is associated with a positioning equipment (user demographic) for determining the geographical position of the first subscriber receiver (paragraph [0055]), and
- the first subscriber receiver is adapted to present a content decoded from the associated data signal component on basis of a position signal (based on viewer demographic) from the positioning equipment such that the presented content has a relatively high degree of relevance to a user associated being with the first subscriber receiver (see paragraphs [0055], [0057] and [0062]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided demographic analysis as taught by Escobar to the interactive media guide system of Reichardt as modified by Knudson to customize a users EPG (paragraph [0055]).

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mushfikh Alam whose telephone number is (571) 270-1710. The examiner can normally be reached on Mon-Fri: 8:30-18:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MA
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